

SW7



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,243	05/07/2001	Bernd Kirschbaum	38005-0148	1488

5487 7590 09/09/2004  
ROSS J. OEHLER  
AVENTIS PHARMACEUTICALS INC.  
ROUTE 202-206  
MAIL CODE: D303A  
BRIDGEWATER, NJ 08807

EXAMINER

FALK, ANNE MARIE

ART UNIT PAPER NUMBER

1632

DATE MAILED: 09/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

528

Serial Number	Filing Date	First Named Applicant	Attorney Docket No.
09/849,243	5/7/2001	Kirschbaum et al.	38005-0148

EXAMINER	
Anne-Marie Falk, Ph.D.	
ART UNIT	PAPER NUMBER
1632	0904

Please find below a communication from the **EXAMINER in charge of this application**  
Commissioner of Patents

The reply filed on June 4, 2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The amendment format does not comply with the requirements of 37 CFR 1.121. Amended Claims 8, 9, and 10 appear to use strike-through markings to delete a single character, but the strike-through is difficult to see. 37 CFR 1.121(c)(2) provides that "[t]he text of any deleted subject matter **must** be shown by being placed within double brackets if strike-through cannot be easily perceived" (emphasis added). As a further issue, the amendment markings to Claim 10 are not consistent with the prior version of the claim. See 37 CFR 1.121(c).

Appropriate correction is required.

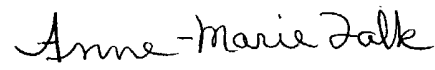
Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a)**. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anne-Marie Falk, Ph.D. whose telephone number is (571) 272-0728. The examiner can normally be reached Monday through Thursday and alternate Fridays from 10:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Amy Nelson, can be reached on (571) 272-0804. The central official fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to (571) 272-0547.

Anne-Marie Falk, Ph.D.

  
**ANNE-MARIE FALK, PH.D.**  
**PRIMARY EXAMINER**